

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TAHOE REGIONAL PLANNING AGENCY,)	Case No. 2:21-CV-02243-TLN-CKD
Plaintiff,)	
vs.)	
JACOB PARKER,)	STIPULATED JUDGMENT AND ORDER
Defendant.)	FOR PERMANENT INJUNCTION AND
	CIVIL PENALTIES AS TO DEFENDANT
	JACOB PARKER
	Judge: Honorable Troy L. Nunley

Plaintiff Tahoe Regional Planning Agency (“TRPA”) commenced this action on December 6, 2021, pursuant to the Tahoe Regional Planning Compact, Pub. Law 96-551, 94 Stat. 3233, Cal. Gov. Code §§ 66801 et seq., Nev. Rev. Stat. §§ 277.200 et seq. (1980) (“Compact”), and its implementing Code of Ordinances (“Code”), to obtain an award of civil penalties and injunctive relief for Defendant Jacob Parker’s illegal mooring of his vessel on Lake Tahoe.

On November 3, 2022, the Clerk of this court filed a Certificate of Entry of Default against Defendant Parker. Dkt. No. 18. TRPA has now applied for entry of a default judgment on all counts of the Complaint against Defendant Parker pursuant to Federal Rule of Civil Procedure (“FRCP”) 55(a).

1 The parties have agreed to settlement of this action without adjudication of any issue of
2 fact or law.

3 THEREFORE, on the joint stipulation of TRPA and Defendant Jacob Parker, it is hereby
4 ORDERED, ADJUDGED AND DECREED as follows.

5 **FINDINGS**

6 This Court finds:

- 7 1. This is an action by the Tahoe Regional Planning Agency instituted under the Code of
8 Ordinances. The Complaint seeks both permanent injunctive relief and civil penalties for
9 the Defendant's violation of the TRPA Code of Ordinances as alleged therein.
 - 10 2. This Court has jurisdiction over the subject matter of this case pursuant to 28 U.S.C.A. §
11 1331 and has jurisdiction over the Defendant due to his residency and illegal conduct
12 within California. Venue in the Eastern District of California is proper pursuant to
13 Compact Article VI(j)(2).
 - 14 3. TRPA has the authority to seek the relief as it has requested pursuant to Articles VI(k)
15 and (l) of the Compact.
 - 16 4. The Complaint states a claim upon which relief can be granted against the Defendant.
 - 17 5. Jacob Parker ("Parker") has entered into this Stipulated Judgment and Order ("Order")
18 freely and without coercion, and the Order has been reviewed and approved by his
19 counsel as set forth below. Parker further acknowledges that he has read the provisions
20 of this Order and is prepared to abide by them.
 - 21 6. TRPA and Parker hereby waive all rights to appeal or otherwise challenge or contest the
22 validity of this Order.
 - 23 7. Entry of this Order is in the public interest.
- 24

ORDER

I. BAN ON ILLEGAL MOORING IN THE WATERS OF LAKE TAHOE

IT IS ORDERED that Defendant Parker is permanently restrained and enjoined from anchoring or mooring watercraft that he owns or controls in the waters of Lake Tahoe unless he is using an approved, legal mooring.

II. CIVIL PENALTY

IT IS FURTHER ORDERED that:

A. Judgment in the amount of Five Thousand Dollars (\$5,000.00) is entered against Defendant Jacob Parker and in favor of Plaintiff Tahoe Regional Planning Agency, and Defendant is ordered to make a payment of Two Thousand Dollars (\$2,000.00) within ten (10) days of entry of this Order and a second payment of Three Thousand Dollars (\$3,000.00) within ninety (90) days thereafter.

B. If full payment of the Five Thousand Dollars (\$5,000.00) required by Paragraph A above is not made within the ninety (90) day period, the Judgment entered against Defendant Jacob Parker and in favor of Plaintiff Tahoe Regional Planning Agency will immediately increase to Twenty Thousand Dollars (\$20,000.00), and TRPA shall be authorized to pursue any lawful means of collection of that sum, with or without further authorization from the Court.

C. Defendant must submit to TRPA his Taxpayer Identification Numbers (Social Security Number or Employer Identification Number), which Defendant acknowledges may be used for collecting and reporting on any delinquent amount arising out of this Order, in accordance with 31 U.S.C. § 7701.

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III. FEES AND COSTS

IT IS FURTHER ORDERED that each party to this Order shall bear its own costs and attorneys' fees incurred in connection with this action, except that TRPA may recover all costs and attorneys' fees incurred in any efforts to collect the sum awarded to TRPA in this Order.

IV. RETENTION OF JURISDICTION

IT IS FURTHER ORDERED that this Court shall retain jurisdiction over this matter for purposes of construction, modification, and enforcement of this Order.

V. COMPLETE SETTLEMENT

The parties, by their respective counsel, hereby consent to entry of the foregoing Order which shall constitute a final judgment and order in this matter with respect to Defendant Jacob Parker. The parties further stipulate and agree that the entry of the foregoing Order shall constitute a full, complete, and final settlement of this action with respect to Defendant Jacob Parker.

Respectfully submitted,

FOR THE DEFENDANT:

DATED: March __, 2023.

By: /s/ _____
Jacob Parker
(530) 208-7825

DATED: March __, 2023.

LAUB & LAUB

By: /s/ _____
Joe M. Laub
Attorney for Defendant
Jacob Parker
joe@lawlaub.com
(775) 333-1234

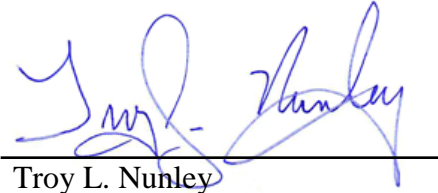
FOR THE PLAINTIFF:

DATED: March __, 2023.

TAHOE REGIONAL PLANNING AGENCY

By: /s/ _____
John L. Marshall
Attorney for Plaintiff,
Tahoe Regional Planning
Agency
jmarshall@trpa.gov
(775) 303-4882

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2 **SO ORDERED this 22nd day of March, 2023.**
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7 Troy L. Nunley
8 United States District Judge
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